



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3735

Introduced 2/25/2009, by Rep. Angelo Saviano

SYNOPSIS AS INTRODUCED:

225 ILCS 320/13.1
225 ILCS 320/16.2 new
225 ILCS 320/42

Amends the Illinois Plumbing License Law. Authorizes a municipality with a population of 500,000 or more to provide for the registration of plumbing contractors by local ordinance. Allows plumbing contractors registered either (i) by the municipality under such an ordinance or (ii) by the Department under the Act to engage in the business of plumbing contractor anywhere in this State. Requires the municipality to maintain a current record of registered plumbing contractors. Preempts home rule with regard to the registration of plumbing contractors. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Plumbing License Law is amended by
5 changing Sections 13.1 and 42 and by adding Section 16.2 as
6 follows:

7 (225 ILCS 320/13.1)

8 Sec. 13.1. Plumbing contractors; registration;
9 applications.

10 (1) All ~~On and after May 1, 2002,~~ all persons or
11 corporations desiring to engage in the business of plumbing
12 contractor, other than any entity that maintains an audited net
13 worth of shareholders' equity equal to or exceeding
14 \$100,000,000, shall register in accordance with either the
15 provisions of this Section or an ordinance authorized under
16 Section 16.2 Act.

17 (2) Application for registration shall be filed with the
18 Department each year, on or before the last day of September,
19 in writing and on forms prepared and furnished by the
20 Department. All plumbing contractor registrations expire on
21 the last day of September of each year.

22 (3) Applications shall contain the name, address, and
23 telephone number of the person and the plumbing license of (i)

1 the individual, if a sole proprietorship; (ii) the partner, if
2 a partnership; or (iii) an officer, if a corporation. The
3 application shall contain the business name, address, and
4 telephone number, a current copy of the plumbing license, and
5 any other information the Department may require by rule.

6 (4) Applicants shall submit an original certificate of
7 insurance documenting that the contractor carries general
8 liability insurance with a minimum of \$100,000 per occurrence,
9 a minimum of \$300,000 aggregate for bodily injury, property
10 damage insurance with a minimum of \$50,000 or a minimum of
11 \$300,000 combined single limit, and workers compensation
12 insurance with a minimum \$500,000 employer's liability. No
13 registration may be issued in the absence of this certificate.
14 Certificates must be in force at all times for registration to
15 remain valid.

16 (5) Applicants shall submit, on a form provided by the
17 Department, an indemnification bond in the amount of \$20,000 or
18 a letter of credit in the same amount for work performed in
19 accordance with this Act and the rules promulgated under this
20 Act.

21 (6) All employees of a registered plumbing contractor who
22 engage in plumbing work shall be licensed plumbers or
23 apprentice plumbers in accordance with this Act.

24 (7) Plumbing contractors shall submit an annual
25 registration fee in an amount to be established by rule.

26 (8) The Department shall be notified in advance of any

1 changes in the business structure, name, or location or of the
2 addition or deletion of the owner or officer who is the
3 licensed plumber listed on the application. Failure to notify
4 the Department of this information is grounds for suspension or
5 revocation of the plumbing contractor's registration.

6 (9) In the event that the plumber's license on the
7 application for registration of a plumbing contractor is a
8 license issued by the City of Chicago, it shall be the
9 responsibility of the applicant to forward a copy of the
10 plumber's license to the Department, noting the name of the
11 registered plumbing contractor, when it is renewed.

12 (10) The Department shall maintain a current record of
13 plumbing contractors registered under this Section. The
14 Department shall provide a copy of the record to any
15 municipality that enacts an ordinance under Section 16.2, and
16 shall advise the municipality of changes in the record at least
17 once every 6 months.

18 (Source: P.A. 94-55, eff. 6-17-05; 94-258, eff. 7-19-05;
19 95-331, eff. 8-21-07.)

20 (225 ILCS 320/16.2 new)

21 Sec. 16.2. Local ordinances; plumbing contractors.

22 (a) Any municipality having a population of 500,000 or
23 more, by an ordinance containing provisions substantially the
24 same as those in this Act with respect to the registration of
25 plumbing contractors, may provide for the registration of

1 plumbing contractors within that municipality. Upon the
2 effective date of the ordinance, the provisions of this Act
3 relating to the registration of plumbing contractors shall not
4 apply within that municipality except as otherwise provided in
5 this Act.

6 (b) Any person registered as a plumbing contractor either
7 (i) by the municipality under such an ordinance or (ii) by the
8 Department under Section 13.1 may engage in the business of
9 plumbing contractor anywhere in this State.

10 (c) A municipality enacting an ordinance under this Section
11 shall maintain a current record of registered plumbing
12 contractors similar to that required of the Department under
13 Section 13.1, and shall provide the Department with a copy of
14 the record. The Department shall be advised of changes in the
15 record at least once every 6 months.

16 (225 ILCS 320/42)

17 Sec. 42. Home rule. Pursuant to paragraph (h) of Section 6
18 of Article VII of the Illinois Constitution of 1970 the power
19 to regulate the licensing of plumbers, to promulgate the
20 ~~promulgation of~~ a minimum plumbing code of standards, and ~~the~~
21 ~~power~~ to regulate the registration of irrigation contractors
22 and plumbing contractors shall, except as may otherwise be
23 provided within and pursuant to the provisions of Section 16,
24 ~~and~~ Section 16.1, and Section 16.2 of this Act, be exercised by
25 the State and may not be exercised by any unit of local

1 government, including home rule units.

2 (Source: P.A. 91-678, eff. 1-26-00.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.